



Columbia County Planning Commission  
Proposed Agenda for March 3, 2016 at 6:00 P.M.  
Evans Government Center Auditorium  
Evans, Georgia

Planning Commissioners:  
Countywide - Jim Cox

District 1 – Chris Noah  
Vice-Chairman – Donald Skinner

District 3 – Richard Henderson, Sr.  
District 4 – Dewey Galeas

- A. CALL TO ORDER..... Chairman Cox
- B. INVOCATION ..... Chairman Cox
- C. PLEDGE OF ALLEGIANCE..... Chairman Cox
- D. ROLL CALL / QUORUM ..... Chairman Cox
- E. APPROVAL OF THE MINUTES OF PREVIOUS MEETING ..... Chairman Cox
  - 1. February 18, 2016
- F. APPROVAL OF THE AGENDA ..... Chairman Cox
- G. PRESENTATION..... Chairman Cox
- H. DEBATE AGENDA ..... Chairman Cox
  - 1. Unfinished Business ..... Chairman Cox
    - a. Rezoning
      - 1. None
    - b. Variance
      - 1. **VA15-12-01, (Public Hearing)** Variation to Section 90-96 *Evans Town Center Overlay District, to Permit Wooden Fencing*, Tax Map 077A Parcel 097, 0.539+/- acres, located at 4277-D Washington Road. *Commission District 2. Staff Assignment, Danielle Bolte. (Tabled from the 12/03/15 PC Meeting)*
      - 2. **VA16-02-05, (Public Hearing)**, Variance to Section 90-53, *List of Lot and Structure Requirements*, Tax Map 039A Parcel 059, 1.28+/- acres, located at 102 Crystal Creek Lane. *Commission District 4. Staff Assignment, Will Butler. (Tabled from the 2/18/16 PC Meeting)*
  - 2. New Business ..... Chairman Cox
    - a. Conceptual Plan
      - 1. **Whispering Pines II**, located off of Whispering Pines, zoned PUD (Planned Unit Development), 113 lots, 51.4 +/- acres, Tax Map 059 Parcel 138G, *Commission District 3. Staff Assignment Andrew Strickland.*
    - b. Preliminary Plat
      - 1. None
    - c. Final Plat
      - 1. **Kelarie, Section 1A Revised**, located off of Baker Place Road, zoned PUD (Planned Unit Development), 85 lots, 37.76 +/- acres, Tax Map 051 Parcel 003N (portion of), *Commission District 3. Staff Assignment Nayna Mistry.*

d. Rezoning

1. **RZ16-03-02, (Public Hearing)**, Change of Conditions, Tax Map 051 Parcels 1132, 1134, 003Q, and 003Y, 193.88+/- acres, located at 2030 Baker Place Road. *Commission District 3. Staff Assignment, Danielle Bolte.*
2. **RZ16-03-03, (Public Hearing)**, Rezone from S-1 (Special District) to R-A (Residential Agricultural District), Tax Map 009 Parcel 019, 50.00+/- acres, located at 5154 White Oak Road. *Commission District 4. Staff Assignment, Will Butler.*
3. **RZ16-03-04, (Public Hearing)**, Rezone from R-1 (Single-family Residential District) to R-2 (Single-family Residential District), Tax Map 077 Parcels 033, 036, and 037, 45.73 +/- acres, located at 1165, 1199, and 1233 Fury's Ferry Road. *Commission District 1. Staff Assignment, Danielle Bolte.*
4. **RZ16-03-05, (Public Hearing)**, Conditional Use for a *Single-family Residence*, Tax Map 078D Parcel 094, 0.46+/- acres, located at 267 Rose Street. *Commission District 2. Staff Assignment, Will Butler.*

e. Plan Revision

1. **RZ16-03-01, (Public Hearing)**, Major S-1 (Special District) Plan Revision, Tax Map 029 Parcel 015, 4.68+/- acres, located at 1762 Lonergan Hulme Road. *Commission District 4. Staff Assignment, Will Butler.*
2. **RZ16-03-06, (Public Hearing)**, Major PUD (Planned Unit Development) Revision, Tax Map 059 Parcels 031, 136, 138D, 138E, 138F, 138G, and 138H; Tax Map 058 Parcels 017D, 017N, 058, 059, 034B, and 134C; and Tax Map 065 Parcel 003M, 721+/- acres, located off Washington Road, William Few Parkway, Old Washington Road, and Clanton Road. *Commission District 3. Staff Assignment, Danielle Bolte.*

f. Variance / Variation

1. **VA16-03-01, (Public Hearing)**, Variance to Section 90-53 *List of Lot and Structure Requirements*, Tax Map 081 Parcel 015A, 0.72+/- acres, located at 891 Point Comfort Road. *Commission District 1. Staff Assignment, Will Butler.*
2. **VA16-03-02, (Public Hearing)**, Variance to Section 90-53 *List of Lot and Structure Requirements*, Tax Map 067A Parcel 049, 2.81+/- acres, located at 5081 Fairington Drive. *Commission District 3. Staff Assignment, Will Butler.*

g. Items Added (which need immediate action or have not gone before Committee)

1. None

I. LEGAL MATTERS ..... County Attorney Driver

1. None

J. STAFF AND COMMISSIONER COMMENTS ..... Chairman Cox

1. April 7, 2016 Planning Commission Meeting

K. PUBLIC COMMENTS AND PARTICIPATION ..... Chairman Cox

The next scheduled Planning Commission meeting is March 17, 2016 at 6:00 P.M. in the Auditorium of Building A at the Evans Government Center.



# VARIATION

December 3, 2015  
Tabled to March 3, 2016

FILE : RZ15-12-01

Variation

Property Information	
Tax Map/Parcel ID	077A 097
Address/Location	4277-D Washington Road
Acreage (+/-)	0.539 +/-
Current Zoning	C-2 (General Commercial)
Existing Use	Convenience Store/Gas Station
Request	Variation to Section 90-96 <i>Evans Town Center Overlay District</i>
Commission District	District 2 (Allen)
Recommendation	Disapproval

## Summary and Recommendation

Owner Sunny Patel and applicant Guru Darshan, LLC, request a variation to Section 90-96 *Evans Town Center Overlay District* for one parcel, Tax Map 077A Parcel 097, 0.539 +/- acres located at 4277-D Washington Road, to permit a wooden fence.

The parcel is located on the east side of Washington Road and is currently zoned C-2 (General Commercial). Surrounding properties are also zoned C-2, with some R-2 (Single Family Residential) properties to the rear of this property, abutting the new Riverwatch Parkway extension. The residential properties do not directly share a property line with the subject parcel.

The applicant has installed a wooden fence along the northern edge of the existing parking lot. The intent of this fence was to screen the view of the detention pond on the adjacent parcel. The fence was not shown on the approved site plans. The existing fence appears to be well-constructed and coordinates well with the building. At the time of the original application, wood was specifically prohibited as a fencing material in Evans Town Center, necessitating the variation request.

This application was tabled from the December 3, 2015 Planning Commission meeting to permit a text amendment allowing wooden fencing in Evans Town Center at the discretion of the Planning Services Director to be processed. That text amendment has been approved by the Board of Commissioners. The relevant portion of Section 90-96 now reads:

Fences and landscaping walls may be used. Fences shall be constructed of materials coordinating with external building walls, wrought iron, vinyl or painted aluminum. Wood fences may be allowed upon the approval of the Planning Services Director, provided that the proposed fence design is compatible with adjacent or nearby properties, provides a finished appearance on both sides of the fence, and meets the intent of this



# VARIATION

December 3, 2015  
Tabled to March 3, 2016

FILE : RZ15-12-01

Variation

section. Where visible from a roadway or adjacent property, fence lines must be landscaped with a mix of evergreen trees and shrubs.

The applicant has been informed of the newly adopted text amendment and has been advised to either submit a landscape plan in compliance with the new ordinance and withdraw the requested variation or move forward with the variation requesting the existing condition of the fence, without landscaping as required in the new code. The applicant has indicated he intends to comply with the landscaping requirements, but a landscaping plan has not been submitted at this time. If the applicant intends to move forward with the variation request and not install compliant landscaping, staff would recommend disapproval of such a request as it would not be in keeping with the intent of the new ordinance.

Staff therefore recommends **disapproval** of the request for a variation from Section 90-96 *Evans Town Center Overlay District* for one parcel, Tax Map 077A Parcel 097, 0.539 +/- acres located at 4277-D Washington Road, to permit a wooden fence without landscaping.

## Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

## Conditions:

### Planning:

1. If approved, the owner must repair and maintain the wood fence in perpetuity. Colors and/or stains must be in accordance with the Evans Town Center requirements.
2. Signs, lighting or any other fixtures on the fence are prohibited.
3. Landscaping must be installed along the fence in accordance with the revision to Section 90-96 within three months of approval.

## Comments:

### Building Standards:

A permit is required if the fence exceeds seven feet in height.

### Environmental:

Wetlands and Waters of the U.S. may be present on the property. If wetlands are present on the property, Columbia County strongly encourages that a Jurisdictional Determination be procured from the U.S. Army Corps of Engineers for this project. If any disturbances to the wetlands or waters of the U.S. are proposed, Columbia County will require an approved JD that must be accompanied by correspondence from the U.S. Army Corps of Engineers stating permit coverage has been obtained or permit coverage is not needed.

*A Community of Pride...A County of Vision...Endless Opportunity*



# VARIATION

December 3, 2015  
Tabled to March 3, 2016

FILE : RZ15-12-01

Variation

State Waters are present within 200 feet of the property. There is an established 25-foot buffer from the edge of wrested vegetation along all state waters. Any disturbances to the 25-foot buffer must be approved by the Georgia Environmental Protection Division prior to such disturbance taking place.

**Fire Marshal:**

To comply with applicable fire codes.

**Planning:**

Conditions supplement but do not eliminate other code requirements which pertain to site development. No additional variances from Code have been expressed or implied. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

## Criteria for Evaluation of Variation Proposal:

1. **There are special circumstances or conditions unique to the property that do not generally apply to the district.**  
There are no special circumstances or conditions unique to this property.
2. **The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.**  
Strict application would not deprive the applicant of reasonable use of the land.
3. **Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.**  
Strict adherence to the requirements of this chapter would not cause unnecessary hardship to the owner. Although he would have to remove the existing fence, staff submits this is not an unnecessary hardship as the existing fence does not meet County code.
4. **If granted, the variance shall be in harmony with the general purposes and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.**  
The proposal will likely not be physically injurious to the neighborhood or detrimental to the public welfare.
5. **In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance.**  
The applicant has not met this burden.



# VARIATION

December 3, 2015  
Tabled to March 3, 2016

FILE : RZ15-12-01

Variation

6. **When recommending a variance, the planning commission, or board of commissioners, when granting a variance, may establish reasonable conditions concerning the use of the property, and may establish an expiration date for such variances.**

So noted.

7. **Any variance recommended and/or authorized is to be set forth in writing in the minutes of the planning commission and the board of commissioners, as the case may be, with the reasons for which the departure was justified, and the conditions under which the variance was granted.**

So noted.







# VARIANCE

February 18, 2016  
Tabled to March 3, 2016

FILE: VA16-02-05

Variance

Property Information	
Tax Map/Parcel ID	Tax Map 039A Parcel 059
Address/Location	102 Crystal Creek Lane
Acreage (+/-)	1.28 +/- acres
Current Zoning	R-A (Residential Agriculture)
Existing Use	Residential
Request	Variance from Section 90-53 <i>List of Lot and Structure Requirements</i>
Commission District	District 4 (Morris)
Recommendation	Approval with Conditions

## Executive Summary:

Owner Melissa Thompson and owner and applicant Frank Thompson request a variance from Section 90-53 *List of Lot and Structure Requirements* for a 1.28+/- acre parcel (Tax Map 039A Parcel 059) located at 102 Crystal Creek Lane to reduce the side setback to 5 feet.

The property is located on the west side of Crystal Creek Lane at its intersection with Columbia Road and is currently zoned R-A (Residential Agriculture). Surrounding properties are also zoned R-A.

Since this property is a corner lot, it has two front setbacks and two side setbacks. In the R-A district, side setbacks are required to be 10 feet from the property line. The applicant is requesting to reduce the side setback at the northern property line to five feet to construct an approximately 830 square foot storage building on the north side of the property. The applicant has indicated that this storage building will have seam metal roofing panels matching the existing roof color and the siding will be 4'x8' Masonite siding panels also matching the existing house color.

The applicant began construction of the storage building without a building permit and no inspections have been performed by the County.

Due to the topography, flood plain, front setback on Columbia Road, and the building not encroaching into the existing drainage and utility easement staff is comfortable with the request. However, staff does have some concern with the proposed materials which are addressed in the conditions. Further comment is provided in the criteria for evaluation below.



# VARIANCE

February 18, 2016  
Tabled to March 3, 2016

FILE: VA16-02-05

Variance

Staff recommends **approval with conditions** of the request for a variance from Section 90-53 *List of Lot and Structure Requirements* for a 1.28+/- acre parcel (Tax Map 039A Parcel 059) located at 102 Crystal Creek Lane to reduce the side setback to 5 feet.

## Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

## Conditions:

### Planning:

1. Exterior materials shall consist of compatible materials to the existing house or as presented to staff in a drawing dated February 9<sup>th</sup>, 2016. No windows shall face the adjacent property to the north at 104 Crystal Creek Lane.
2. The reduction in the side setback applies only to the building currently under construction. Any future structures added to the property must meet County code.

## Comments:

**Building Standards:** Ensure all applicable codes provided by the International Residential code for one and two family dwellings, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

Please note construction of the storage building was initiated prior to submitting a building permit application; no inspections have been performed.

### Environmental:

Wetlands and Waters of the U.S. may be present on the property. If wetlands are present on the property, Columbia County strongly encourages that a Jurisdictional Determination be procured from the U.S. Army Corps of Engineers for this project. If any disturbances to the wetlands or waters of the U.S. are proposed, Columbia County will require an approved JD that must be accompanied by correspondence from the U.S. Army Corps of Engineers stating permit coverage has been obtained or permit coverage is not needed.

State Waters are present on the property. There is an established 25-foot buffer from the edge of wretsted vegetation along all state waters. Any disturbances to the 25-foot buffer must be approved by the Georgia Environmental Protection Division prior to such disturbance taking place.

According to FEMA FIRM 13073C0120D, the property contains A Zone. Future additions on this property may require the submission of a LOMA to FEMA.





# VARIANCE

February 18, 2016  
Tabled to March 3, 2016

FILE: VA16-02-05

Variance

**Fire Marshal:**

To comply with applicable fire codes.

**Planning:** Conditions supplement but do not eliminate other code requirements. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

## Criteria for Evaluation of Variance Proposal:

1. **There are special circumstances or conditions unique to the property that do not generally apply to the district.**

Since the property is a corner lot and abuts Columbia Road, it does have a 50' setback from the property line on the southern side of the property which does limit the developable land on that side. In addition, a large portion of the western side of the lot is within the Benton Creek flood plain. However, this flood plain is common for properties on the western side of Crystal Creek Lane.

2. **The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.**

Strict application would not deprive the applicant of any reasonable use of the land. The proposed building, which is currently under construction, would have to be moved or torn down and rebuilt to accommodate the correct setbacks.

3. **Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.**

In addition to the factors mentioned in criteria one, the lot slopes down nearly 40 feet from the front of the lot at Crystal Creek Lane to the rear (east to west) over a distance of approximately 380 feet. While this is common among the lots to the north along the creek, it does have an impact on locating an accessory building.

4. **If granted, the variance shall be in harmony with the general purposes and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.**

There is a 5' drainage & utility easement along the northern property line. The proposal does keep the building outside of that easement. It is likely that the request will not be injurious to the neighborhood or detrimental to the public welfare.

5. **In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance.**

The applicant has met this burden.



# VARIANCE

February 18, 2016  
Tabled to March 3, 2016

FILE: VA16-02-05

Variance

6. **When recommending a variance, the planning commission, or board of commissioners, when granting a variance, may establish reasonable conditions concerning the use of the property, and may establish an expiration date for such variances.**

So noted.

7. **Any variance recommended and/or authorized is to be set forth in writing in the minutes of the planning commission and the board of commissioners, as the case may be, with the reasons for which the departure was justified, and the conditions under which the variance was granted.**

So noted.





# CONCEPTUAL PLAN

## WHISPERING PINES II

### Property Information

Subdivision Name	Whispering Pines II
Location/address	Off William Few Parkway
Tax Map / Parcel	Tax Map 059 Parcel 138G
Total Acreage	51.4 acres
Number of lots/units	113
Zoning	PUD (Planned Unit Development) (RZ05-10-10)
Owner/Developer	Whispering Pines of Georgia, LLC
Commission District	District 3 (Richardson)
Recommendation	Approval

### Summary and Recommendation

Applicant Whispering Pines of Georgia, LLC, has submitted for approval a conceptual site plan for Whispering Pines II, a single family subdivision. This site is located off of William Few Parkway within the Riverwood West development. The site consists of one parcel, Tax Map 059 Parcel 138G, 51.4 +/- acres, currently zoned PUD (Planned Unit Development).

This property was rezoned in 2005 (RZ05-10-10) to PUD (Planned Unit Development) as part of the Riverwood West development. This site is near the intersection of William Few Parkway and Clanton Road and will have access from Clanton Road, William Few Parkway, and through the previous section of Whispering Pines.

The portion to be developed consists of 51.4 acres, of which 24.4 acres will be left as natural buffers and open space for the development. This open space includes 75 foot buffers from William Few Parkway and portions of Clanton Road; the buffer narrows behind lots 131-135. A park area is provided for the development on the corner of Whispering Pines Way and Overcup Lane which will contain an activity field, pavilion, and playground equipment and which connects to a greenbelt along the creek between this phase and the existing section of Whispering Pines.

Comprehensive development standards have been proposed as part of this conceptual plan submittal. Front porches are encouraged; rear porches are required. The minimum square footage of the homes is expected to be 1500 square feet. Setbacks for the project will be 25 feet from the right of way line, 5 feet from the side property lines on 50 foot to 60 foot lots; 7.5 feet from the side property lines on the 65 and 70 foot lots; and 10 feet from the rear property lines. These requirements meet or exceed those specified in the PUD.

Sidewalks are to be installed along all streets and are to be located 5 feet from the curb.



March 3, 2016

# CONCEPTUAL PLAN

## WHISPERING PINES II

Staff recommends **approval** of the conceptual plan.

## Interdepartmental Review

A copy of this staff report is sent to the applicant and owner of the property in question prior to the public hearing.

## Comments:

### Environmental:

Based on site visit conducted 2/16/16, intermittent state waters were identified that was not shown on the plan. Show state waters and buffer from lot 190 to between lots 157 and 158.

### GIS:

1. AutoCAD drawing files, including the Cover Sheet and Lot Layout, are required to be submitted via CD or digital copy. The drawing files need to be in state plane (Georgia, East Zone, NAD 83 coordinate system) including at least two benchmarks showing state plane coordinates and a benchmark or temporary benchmark referencing NAVD88 elevation.
2. Addresses will be assigned to lots once a DWG is submitted in the correct coordinate system.
3. Please submit two additional road names. Overcup Lane and Whispering Pines Way are approvable as noted on the plan. However, Whispering Pines Way should terminate at the intersection near lot 115. A new road name should be used for the loop that serves lots 116-119 and lots 131-205. The loop should start at Clanton Road and continue around to the intersection near lot 143. A road name should be submitted for the short road between lots 185/186 and lots 197/198 as well.

### Traffic Engineering:

To determine if turn lanes are required please see the, "Criteria and Guidelines for Project Access Improvements on County Roadways".



# FINAL PLAT

March 3, 2016

KELARIE, SECTION 1-A  
REVISED

## Property Information

Subdivision Name	Kelarie, Section 1-A, Revised
Location/address	Off Baker Place Road
Tax Map / Parcel	Tax Map 051 Parcel 003N (portion of)
Total Acreage	37.76 acres
Number of lots/units	85
Zoning	PUD (Planned Unit Development)
Surveyor	Cranston Engineering Group, P.C.
Commission District	District 3
Recommendation	Pending

## Summary and Recommendation

Coel Development Company, Inc. seeks approval of a revision to the final plat for section 1-A of Kelarie. This section consists of 85 residential lots on 37.76 acres located off Baker Place Road. The property is zoned PUD (Planned Unit Development). The Board of Commissioners approved the PUD zoning in March of 2014. The preliminary plat was approved on August 7, 2014, with the final plat approved on September 3, 2015.

The revision to the final plat affects lots 4 – 8 along Tralee Court. It was determined in the field that the lots had been laid out smaller than the minimum required square footage; therefore the lot lines are being revised to make the lots zoning-compliant. Houses are under construction on all of these lots at this time; staff recommendation is pending as-built surveys of each lot impacted detailing the locations of the houses relative to the revised lot lines to ensure the properties remain compliant with setback requirements.

The revised line of most concern is the side lot line between lots 7 and 8, which, with the proposed revision, is no longer straight. This could create issues with setbacks or property disputes between the neighbors, especially if either neighbor desires to install a fence along the property line.

The required infrastructure improvements are incomplete at this time. The developer has bonded the outstanding construction in accordance with Columbia County Code Section 74-119, and the as-built is currently under review.

Staff recommendation is pending additional information from the applicant.



# REZONING

March 3, 2016

FILE : RZ16-03-02

Change of Conditions

Property Information	
Tax Map/Parcel ID	Tax Map 051 Parcel 1132, 1134, 003Y, 003Q
Address/Location	2030 Baker Place Road
Acreage (+/-)	193.88 +/- acres
Current Zoning	PUD (Planned Unit Development)
Existing Use	Under Construction
Request	Revise Planning Condition #2
Commission District	District 4 (Morris)
Recommendation	Approval with Conditions

## Summary and Recommendation

Owner Pollard Land Company and applicant Coel Development Company, Inc., request a change of conditions for the current PUD (Planned Unit Development) zoning for Tax Map 051 Parcels 1132, 1134, 003Q, and 003Y, 193.88 +/- acres located at 2030 Baker Place Road to revise Planning condition #2 requiring sidewalks outside of building lots to be installed prior to final plat approval.

The property in question is located on the north side of Baker Place Road near its intersection with William Few Parkway and is currently zoned PUD (Planned Unit Development). Surrounding properties are zoned R-A (Residential Agriculture) and PUD.

The PUD was approved in 2014 with several conditions. The condition the applicant is seeking to revise is Planning condition #2, which states:

- 2) Sidewalks with a minimum width of five (5) feet shall be provided along both sides of all neighborhood streets. The collector (spine road) shall have a minimum five (5)-foot wide sidewalk along one side of the right-of-way from the first neighborhood intersection to the traffic circle. Sidewalks shall terminate at street intersections. ADA-compliant curb ramps shall be installed at all such intersections. Sidewalks and curb ramps outside of building lots shall be installed prior to final plat approval. Sidewalks within individual building lots shall be installed prior to issuance of a Certificate of Occupancy.

The portion of the condition under consideration for revision is the sentence requiring all sidewalks and curb ramps outside of building lots to be installed prior to final plat approval. Meetings with the Development Advisory Board have led to an agreement between the County and developers for sidewalks to be inspected at the expiration of the 1-year warranty period rather than at the final plat phase. The applicant is requesting that the above condition be revised in accordance with this agreement to require the sidewalks and curb ramps outside of building lots to be installed prior to the expiration of the warranty period.





# REZONING

March 3, 2016

FILE : RZ16-03-02

Change of Conditions

Staff recommends **approval with conditions** of the change of conditions for the current PUD (Planned Unit Development) zoning for Tax Map 051 Parcels 1132, 1134, 003Q, and 003Y, 193.88 +/- acres located at 2030 Baker Place Road to revise Planning condition #2 requiring sidewalks outside of building lots to be installed prior to final plat approval.

## Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

## Conditions:

### Planning:

1. Sidewalks outside of building lots must be installed by the expiration of the 1-year warranty period. Sidewalks within building lots must be installed prior to the issuance of a certificate of occupancy for the associated house.
2. All other conditions adopted with the original rezoning still apply.

## Comments:

### Fire Marshal:

To comply with applicable fire codes.

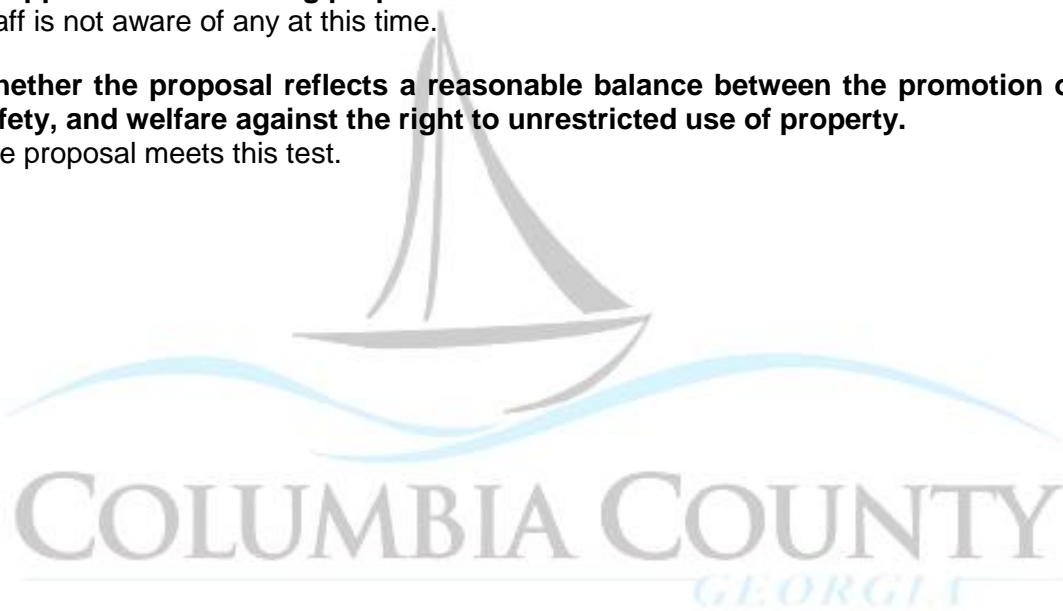
### Planning:

Conditions supplement but do not eliminate other code requirements which pertain to site development. No variances from Code have been expressed or implied. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

## Criteria for Evaluation of Rezoning Proposal

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**  
The proposed revision is suitable for the development.
2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**  
The proposal will not adversely impact adjacent or nearby properties.
3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**  
The property does have a reasonable economic use as currently zoned.

4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**  
The proposal will not cause an excessive burden on existing facilities.
5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**  
The adopted future land use map shows this area as medium density residential; however, the map is currently under revision.
6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**  
Staff is not aware of any at this time.
7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**  
The proposal meets this test.





# REZONING

March 3, 2016

FILE : RZ16-03-03

S-1 to R-A

Property Information	
Tax Map/Parcel ID	Tax Map 009 Parcel 019
Address/Location	5154 White Oak Road
Acreage (+/-)	50 +/- acres
Current Zoning	S-1 (Special)
Existing Use	Agricultural
Request	R-A (Residential Agriculture)
Commission District	District 4 (Morris)
Recommendation	Approval

## Summary and Recommendation

Owner and applicant Kyle O'Neal requests a rezoning from S-1 (Special) to R-A (Residential Agriculture) for Tax Map 009 Parcel 019, 50 +/- acres located at 5154 White Oak Road.

The property in question is located on the south side of White Oak Road and is surrounded by R-A (Residential Agriculture) properties.

The subject parcel was zoned S-1 (Special) in 1990 (RZ90-05-03) for a combination event facility and agricultural operation. The event facility consisted of a softball field, picnic area, petting zoo, and pool area with the agricultural operation consisting of horse boarding and the raising of cattle.

The applicant is proposing to use the property as a single family residence and is requesting that the property be rezoned back to R-A for that purpose. A comparison of aerials from 2013 and 2015 show that the previous residence, pool, petting zoo, and picnic area have been demolished. The only remaining feature from the event facility is the softball field in the northern corner of the property which appears to be in disrepair. Staff is comfortable with the request due to the surrounding property being zoned R-A. Further comment is provided in the criteria for evaluation below.

Staff recommends **approval** of the rezoning from S-1 (Special) to R-A (Residential Agriculture) for Tax Map 009 Parcel 019, 50 +/- acres located at 5154 White Oak Road.



# REZONING

March 3, 2016

FILE : RZ16-03-03

S-1 to R-A

## Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

## Comments:

### **Building Standards:**

Ensure all applicable codes provided by the International Residential code for one and two family dwellings, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

### **Environmental:**

Wetlands and Waters of the U.S. are present on the property. Columbia County strongly encourages that a Jurisdictional Determination be procured from the U.S. Army Corps of Engineers for this project. If any disturbances to the wetlands or waters of the U.S. are proposed, Columbia County will require an approved JD that must be accompanied by correspondence from the U.S. Army Corps of Engineers stating permit coverage has been obtained or permit coverage is not needed.

State Waters are present on the property. There is an established 25-foot buffer from the edge of wretsted vegetation along all state waters. Any disturbances to the 25-foot buffer must be approved by the Georgia Environmental Protection Division prior to such disturbance taking place.

### **Fire Marshal:**

To comply with applicable fire codes.

### **Health Department:**

The applicant must contact the Health Department to determine the suitability of an onsite sewage system for this project.

### **Planning:**

Conditions supplement but do not eliminate other code requirements which pertain to site development. No variances from Code have been expressed or implied. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

If a use other than single family residential is required in the future, rezoning may be required.

### **Stormwater Management:**

If this property is going to be developed as a residential subdivision then the following conditions will apply:

1. The site improvements will disturb more than one acre, therefore, the proper NPDES permit and associated fees must be submitted to the Georgia Environmental Protection Division (EPD) and Columbia County 14 days prior to land disturbance.

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# REZONING

March 3, 2016

FILE : RZ16-03-03

S-1 to R-A

2. Stormwater detention will be required unless site improvements result in no net increase in runoff.
3. Stormwater quality will be required.

## **Water and Sewer:**

Water and sewer service is not available to this parcel.

## **Criteria for Evaluation of Rezoning Proposal**

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**  
The proposed revision is suitable for the development.
2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**  
The proposal will not adversely impact adjacent or nearby properties.
3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**  
The property does have a reasonable economic use as currently zoned.
4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**  
The proposal will not cause an excessive burden on existing facilities.
5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**  
The adopted future land use map shows this parcel as specifically public institutional; however, the map is currently under revision. The proposed future development map, which has yet to be adopted and could be revised before adoption, shows this parcel as part of the Rural Applying Area. The intent of this area is to preserve the existing rural character, including agricultural uses and large-lot residential uses, as well as natural and historic features. The proposal meets the intent of the area since it is maintaining a large-lot residential use. However, please note that this comment is provided as an exercise only since the future development map has yet to be adopted.
6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**  
Staff is not aware of any at this time.
7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**  
The proposal meets this test.



# REZONING

March 3, 2016

FILE : RZ16-03-04

R-1 to R-2

Property Information	
Tax Map/Parcel ID	Tax Map 077 Parcels 033, 036, 037
Address/Location	1165, 1199, 1233 Furys Ferry Road
Acreage (+/-)	45.73 +/- acres
Current Zoning	R-1 (Single Family Residential)
Existing Use	Vacant/Residential
Request	R-2 (Single Family Residential)
Commission District	District 1 (Duncan)
Recommendation	Approval with Conditions

## Summary and Recommendation

Owners Mary Nell Gay and Teresa Barnes and applicant Green-way Communities, LLC, request a rezoning from R-1 (Single Family Residential) to R-2 (Single Family Residential) for Tax Map 077 Parcels 033, 036, and 037, 45.73 +/- acres located at 1165, 1199, and 1233 Furys Ferry Road.

The properties in question are located on the east side of Furys Ferry Road across from the 'T' intersection with Hardy McManus Road and are currently zoned R-1 (Single Family Residential). The majority of the surrounding properties are also zoned R-1, although a recent rezoning request for R-2 (Single Family Residential) was approved nearby off of Hardy McManus Road; that development is soon to be under construction.

The applicants are proposing to develop a single family subdivision on these three parcels. The applicants have elected not to submit for conceptual plan approval at this time but have submitted a preliminary site plan for information, which, as submitted, shows a total of 53 lots, with a minimum 15 foot buffer on all sides of the property. Portions of this buffer adjacent to building lots will be disturbed during construction and are shown as replanted buffers; the portions adjacent to green space are shown as undisturbed.

A minimal buffer is provided from Furys Ferry Road. The future anticipated widening of Furys Ferry Road will likely remove much of the buffer area proposed; staff would recommend that additional buffer width be required along Furys Ferry Road to accommodate future transportation plans in this area without causing undue disruption to the residents of these future homes. The additional conditions proposed by staff are identical to those approved for the recent rezoning off of Hardy McManus Road.

These parcels lie within the area identified for neighborhood development in the soon-to-be-adopted future land use plan. The net density of the neighborhood areas is expected to be 1 to 4 units per





# REZONING

March 3, 2016

FILE : RZ16-03-04

R-1 to R-2

acre; both the R-1 and R-2 districts fall within these parameters. This development as currently proposed has a net density of 1.15 units per acre, which is on the lower end of the anticipated density for the neighborhood areas. As the majority of nearby properties are large lot single family residences, lower density is appropriate for this area.

Staff recommends **approval with conditions** of the rezoning from from R-1 (Single Family Residential) to R-2 (Single Family Residential) for Tax Map 077 Parcels 033, 036, and 037, 45.73 +/- acres located at 1165, 1199, and 1233 Furys Ferry Road.

## Interdepartmental Review

**A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.**

## Conditions:

### Planning:

1. Driveways shall be a minimum of 20 feet in length between the garage and the sidewalk.
2. Street trees with a minimum diameter at breast height (DBH) of three (3) inches shall be planted on both sides of all internal streets. The tree lawn must be a minimum of 6 feet in width and must be installed prior to a certificate of occupancy being issued for the building to which the trees most closely relate. A street tree planting plan specifying location, species, and the party responsible for perpetual maintenance shall be submitted to and approved by Columbia County as part of subdivision review.
3. Natural, undisturbed buffers with a minimum width of 15 feet shall be maintained along the development's exterior boundaries. A natural, undisturbed buffer with a minimum width of 60 feet shall be maintained along the parcel's Furys Ferry Road frontage in order to accommodate the future right of way requirements—the buffer may be supplemented with additional plantings to create an attractive landscaped entrance.
4. Sidewalks with a minimum width of five (5) feet shall be installed on both sides of all internal streets. ADA-compliant curb ramps shall be installed at all street intersections prior to final plat approval.
5. A minimum of 20 percent of the project area located outside of conservation areas—floodplains, wetlands, and stream buffers—shall be permanently allocated to open space.
  - i. 50 percent of the project area located within conservation areas may be counted toward the required open space.
  - ii. A portion of the required open space shall be centrally located within the development.
  - iii. Stormwater infrastructure may not be counted toward the required open space, unless designed as part of a low-impact system that utilizes bio-swales and natural recharge areas.Utility easements may not be counted toward the required open space, unless utilized as part of a common trail network or other amenity.



# REZONING

March 3, 2016

FILE : RZ16-03-04

R-1 to R-2

## Comments:

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### **Board of Education:**

Based on the plat prepared for Jerry Greenway, dated January 25, 2016 which is included in the attached PPT.pdf, the elementary school zone for this development will be River Ridge Elementary. This information is due to the fact that the plat indicates the entrance to this development will be before Hardy McManus Road. If a second entrance is worked-in to this development, depending on the location, it may possibly result in part of the development being zoned for Riverside Elementary School. The middle school zone is Riverside Middle and the high school zone is Greenbrier High.

When overcrowded conditions occur in any one of our schools there is a possibility that children will be housed in portable classrooms. The influx of new subdivisions being built around our schools, the problem with traffic congestion and road access during school morning and afternoon hours as students are being picked up or dropped off will continue to increase.

### **Building Standards:**

Ensure all applicable codes provided by the International Residential code for one and two family dwellings, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

### **Environmental:**

Wetlands and Waters of the U.S. are present on the property. Columbia County strongly encourages that a Jurisdictional Determination be procured from the U.S. Army Corps of Engineers for this project. If any disturbances to the wetlands or waters of the U.S. are proposed, Columbia County will require an approved JD that must be accompanied by correspondence from the U.S. Army Corps of Engineers stating permit coverage has been obtained or permit coverage is not needed.

State Waters are present on the property. There is an established 25-foot buffer from the edge of wretsed vegetation along all state waters. Any disturbances to the 25-foot buffer must be approved by the Georgia Environmental Protection Division prior to such disturbance taking place.

### **Fire Marshal:**

To comply with applicable fire codes.

### **Health Department:**

This project should be on county water and sewer, therefore, the Health Department does not need to be contacted prior to advancement of the project and there are no specific comments or conditions.

### **Planning:**

1. A conceptual site plan must be approved by the Planning Commission prior to submission of a preliminary plat.
2. No variances from Code have been applied for, nor have any variances been extended or implied by the County. Conditions supplement but do not eliminate other code requirements. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.



# REZONING

March 3, 2016

FILE : RZ16-03-04

R-1 to R-2

## **Sheriff:**

1. Residential construction sites are high risk areas for thefts and property damage. During the construction phase of this project, the Sheriff's Office will implement patrols to prevent these type of crimes from occurring.
2. Traffic control lanes recommended on Fury's Ferry Road.

## **Stormwater Management:**

1. The site improvements will disturb more than one acre, therefore, the proper NPDES permit and associated fees must be submitted to the Georgia Environmental Protection Division (EPD) and Columbia County 14 days prior to land disturbance.
2. Stormwater detention will be required unless site improvements result in no net increase in runoff.
3. Stormwater quality will be required.

## **Traffic Engineering:**

Subject property is located along a programmed road widening corridor for State Route 28 – Furys Ferry Rd. Significant right-of-way will be required and, based on the applicant's concept plan, the resulting subdivision frontage will not meet the ordinance once construction is complete. The GDOT Concept Report was approved on April 25, 2014 and includes a Concept Plan for the widening. This information has been widely made available to the local design community by both GDOT and Columbia County. In addition to required r/w for the widening, the plan also identifies r/w on the property for a stormwater facility. Lastly, County staff is working with Jacobs Engineering, consultant for the Furys Ferry widening project, to study a 3-way roundabout at the Hardy McManus intersection. A 3-way roundabout is superior to a 4-way roundabout by reducing the travel path around the circle for the PM peak period and increasing gap opportunities, thereby maximizing operational efficiency and resulting in a greater public benefit.

## **Water and Sewer:**

Water service is available from Furys Ferry Road. A sewer extension would be required to provide sewer service. Water and sewer flow test will be needed to determine available capacities. The Owner/Developer is responsible for all costs to provide water and sewer service to the properties. Columbia County does not accept sewage lift stations if gravity sewer can be extended or if less than 100 lots are planned.

## **Criteria for Evaluation of Rezoning Proposal**

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**  
The proposed revision is suitable for the development.
2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**  
The proposal will not adversely impact adjacent or nearby properties.

3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**  
The property does have a reasonable economic use as currently zoned.
4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**  
The proposal will not cause an excessive burden on existing facilities.
5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**  
The adopted future land use map shows this area as medium density residential; however, the map is currently under revision.
6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**  
Staff is not aware of any at this time.
7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**  
The proposal meets this test.



# REZONING

March 3, 2016

FILE : RZ16-03-05

Conditional Use

Property Information	
Tax Map/Parcel ID	Tax Map 078D Parcel 094
Address/Location	267 Rose Street
Acreage (+/-)	0.46 +/- acres
Current Zoning	C-2 (General Commercial)
Existing Use	Residential/Vacant Commercial
Request	Conditional Use for Single Family Residence
Commission District	District 2 (Allen)
Recommendation	Approval

## Summary and Recommendation

Owner and applicant the Estate of David Cockrell requests a Conditional Use for one parcel (Tax Map 078D Parcel 094), 0.46 +/- acres located at 267 Rose Street, for a single family residence in a C-2 (General Commercial) district.

The property in question is located on the south side of Rose Street in a commercial area. This property was part of a County-initiated zoning in 1977 that rezoned all of the parcels in the area bounded by Washington Road to the north, the County line to the south, Bobby Jones Expressway to the west, and Davis Road to the east to C-2 (General Commercial). The property was used for a heating and air business by Mr. Cockrell beginning in 1983 until he retired and handed the business over to his son.

The business has not been in operation since 2014, when Mr. Cockrell's son suffered a stroke and was in the hospital for several months. Upon his release from the hospital, he and a caretaker moved into the smaller building on the property that was formerly used as the office for the business. Single family residences are a conditional use in the C-2 district and since this entire area is commercial, a conditional use is more appropriate than a rezoning would be. Additionally, Mr. Cockrell is hoping to open a business in the building at the rear in the near future.

Staff is comfortable with the request due to the residential form of the existing office building. The existing building has standard residential doors, a small porch, residential windows, and lapped siding which helps retain a more residential appearance. Comparatively, surrounding commercial parcels have metal buildings and a more commercial appearance. Further analysis is provided in the evaluation criteria below. In addition, please note that in order for a new business to be established on the property the site will need to be brought into compliance with County code since it is a nonconforming use and has lost its "grandfathering" due to it discontinuing operation for one year. This would include items such as landscaping, paving of parking areas, and an engineered site plan.





# REZONING

March 3, 2016

FILE : RZ16-03-05

Conditional Use

Staff recommends **approval** of the request for a Conditional Use for one parcel (Tax Map 078D Parcel 094), 0.46 +/- acres located at 267 Rose Street, for a single family residence in a C-2 (General Commercial) district.

## Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

## Comments:

**Building Standards:** Ensure all applicable codes provided by the International Residential code for one and two family dwellings, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

**Fire Marshal:**

To comply with applicable fire and building codes related to live/work units.

**Health Department:**

The applicant must contact the Health Department in regard to the suitability of the existing onsite sewage system for this project.

**Planning:**

1. Conditions supplement but do not eliminate other code requirements which pertain to site development. No variances from Code have been expressed or implied. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.
2. Prior to a business being re-opened at this location, the site will be required to be brought up to County code.

**Stormwater:**

1. If the site improvements will disturb more than one acre, therefore, the proper NPDES permit and associated fees must be submitted to the Georgia Environmental Protection Division (EPD) and Columbia County 14 days prior to land disturbance.
2. Stormwater detention will be required unless site improvements result in no net increase in runoff.
3. Stormwater quality will be required if the impervious area is increased by 5,000 sq. ft. or greater or if the land disturbance is 5,000 sq. ft. or greater.

**Water and Sewer:**

The property is served by the County water system. County sewer service is not available.



## Criteria for Evaluation of Rezoning Proposal

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

A single-family detached dwelling is a listed conditional use in the C-2 zoning district. All nearby property is zoned C-2 and there does not appear to be any other residential uses in the area. However, this site does have an office that is constructed in a more residential form (standard residential doors, small porch, residential grade windows, lapped siding, etc.) than a typical commercial office. Staff is more inclined to view this as suitable because of the construction of the existing office building.

2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**

The proposal should not adversely impact adjacent or nearby properties.

3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The property does have a reasonable economic use as currently zoned.

4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**

The proposal will not cause an excessive burden on existing facilities.

5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**

The adopted future land use map shows this area as medium density residential; however, the map is currently under revision. On the future development map, which has not been adopted and is subject to revision, the subject parcel is within the Martinez Activity Center. According to Vision 2035, an Activity Center is characterized by compact, walkable, higher density developments that provide additional employment opportunities and support residential uses, such as townhouses and condos that contribute to a live-work-play environment, but are not consistent with the rural and suburban development patterns found in much of the county. The Martinez Activity Center specifies shops, restaurants, offices, higher density residential, civic uses, and open space. The proposed conditional use is similar to a "live work" apartment unit and in staff's opinion would be appropriate for the proposed Martinez Activity Center. However, please note that this plan has not been adopted and this analysis is provided as an exercise only.

6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**

Staff is not aware of any at this time.

7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**

The proposal does meet this test.



# REZONING

March 3, 2016

FILE : RZ16-03-01

Major S-1 Revision

Property Information	
Tax Map/Parcel ID	Tax Map 029 Parcel 015
Address/Location	1762 Lonergan Hulme Road
Acreage (+/-)	4.68 +/- acres
Current Zoning	S-1 (Special)
Existing Use	Vacant
Request	Major Revision
Commission District	District 4 (Morris)
Recommendation	Approval

## Summary and Recommendation

Owner RTB Investments and applicant TJ Barton request a major revision to the current S-1 (Special) zoning for Tax Map 029 Parcel 015, 4.68 +/- acres located at 1762 Lonergan Hulme Road to revise the layout of the equipment on the site and revise the buffers.

The property in question is located at the intersection of Lonergan Hulme Road and Nature's Way and is bordered by R-A (Residential Agriculture) and M-1 (Light Industrial) properties. The property was rezoned to S-1 (Special) in 2015 (RZ15-10-07) for a concrete production facility.

The original plan called for an existing plant to be relocated from Richmond County to this location; the applicant is now proposing to purchase a new plant for this site and is requesting revisions to the site plan to accommodate the new plant. Specifically, the orientation of the plant is proposed to be rotated 90 degrees and moved approximately 80 feet further south on the property, necessitating reductions in the buffer widths on the south and west property lines from the originally proposed 50 feet to 25 feet.

The intent of the proposed revisions is to reduce the noise impact on adjacent properties by relocating the plant away from occupied properties (the south property line abuts Nature's Way and I-20, while the west property line abuts a pond) and allowing the rear of the cement trucks to face Nature's Way while loading, further reducing noise. The batch office is proposed to now sit between the trucks being loaded and the northern property line, providing further sound buffering, and the air compressors are proposed to be housed inside a building to reduce the noise of their operation. Further, the applicant has indicated that the silo, originally proposed at approximately 70' high, could be reduced to 65' and possibly further dependent upon final design drawings.

In addition to modifications of the layout, the applicant is also proposing revisions to the previously approved buffers. Currently, the buffer along the west and south property lines is 50'. The applicant is



# REZONING

March 3, 2016

FILE : RZ16-03-01

Major S-1 Revision

requesting to reduce this buffer to 25' and has indicated that dense vegetation would be planted within the buffer to further supplement the existing vegetation. Along the northern property line, adjacent to the existing residential property, the proposed 50' buffer would remain. The proposed revision to this area of the property would be to change the proposed approximately 12' high block wall to a poured concrete wall. The applicant has also indicated that trees will be planted outside of the wall on the side facing the residential property. No other revisions are proposed and the previously approved condition pertaining to truck access to Lonergan Hulme not being permitted is still in effect.

Overall, staff is comfortable with the proposed revisions since they should lessen the impact on the adjacent residential properties. Further comment is provided in the criteria below.

Staff recommends **approval** of the major revision to the current S-1 (Special) zoning for Tax Map 029 Parcel 015, 4.68 +/- acres located at 1762 Lonergan Hulme Road to revise the layout of the equipment on the site and to revise the buffers.

## Interdepartmental Review

**A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.**

## Comments:

### **Building Standards:**

Ensure all applicable codes provided by the International Building Code, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

### **Environmental:**

Based on a site visit conducted 11/6/2015, state waters are present on the property that are not shown on the attached Site Plan. There is an established 25-foot buffer from the edge of wreted vegetation along all state waters. Any disturbances to the 25-foot buffer must be approved by the Georgia Environmental Protection Division prior to such disturbance taking place.

Wetlands and Waters of the U.S. are present on the property. Columbia County strongly encourages that a Jurisdictional Determination be procured from the U.S. Army Corps of Engineers for this project. If any disturbances to the wetlands or waters of the U.S. are proposed, Columbia County will require an approved JD that must be accompanied by correspondence from the U.S. Army Corps of Engineers stating permit coverage has been obtained or permit coverage is not needed.

### **Fire Marshal:**

To comply with applicable fire codes.

### **GIS:**

### **Health Department:**

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# REZONING

March 3, 2016

FILE : RZ16-03-01

Major S-1 Revision

## Planning:

### Stormwater Management:

1. The site improvements will disturb more than one acre, therefore, the proper NPDES permit and associated fees must be submitted to the Georgia Environmental Protection Division (EPD) and Columbia County 14 days prior to land disturbance.
2. Stormwater detention will be required unless site improvements result in no net increase in runoff.
3. Stormwater quality will be required.

## Water and Sewer:

## Criteria for Evaluation of Rezoning Proposal

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**  
The proposed revision is suitable and should lessen the impact on adjacent property compared to the previously approved plan.
2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**  
The proposal will not adversely impact adjacent or nearby properties.
3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**  
The property does have a reasonable economic use as currently zoned .
4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**  
The proposal will not cause an excessive burden on existing facilities.
5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**  
The adopted future land use map shows this area as industrial; however, the map is currently under revision. The proposed future development map, which has not been adopted and is subject to revision, shows this area as part of the Appling-Harlem Employment Activity Center. An employment activity center is created to enhance and create concentrated commercial uses, employment centers, and mixed use development in defined areas. This specific activity center is slated for master planned business or industrial parks, manufacturing along the I-20 frontage, mid-rise offices, and R&D Centers. The proposed special use is akin to a manufacturing facility and in staffs opinion meets the intent of the proposed land use plan. However, please note that the proposed land use plan has yet to be adopted and analysis is provided as an exercise only.

6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**  
Staff is not aware of any at this time.
7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**  
The proposal meets this test.







# REZONING

March 3, 2016

FILE : RZ16-03-06

Major PUD Revision

Property Information	
Tax Map/Parcel ID	<b>Tax Map 059 Parcels 031, 136, 138D, 138E, 138F, 138G Tax Map 058 Parcels 017D, 017N, 058, 059, 134B, 134C Tax Map 065 Parcels 003M, 853</b>
Address/Location	<b>Washington Road/William Few Parkway/ Old Washington Road/Clanton Road</b>
Acreage (+/-)	<b>721 +/- acres</b>
Current Zoning	<b>PUD (Planned Unit Development)</b>
Existing Use	<b>Vacant/Residential</b>
Request	<b>Major Revision</b>
Commission District	<b>District 3 (Richardson)</b>
Recommendation	<b>Approval with Conditions</b>

## Summary and Recommendation

Owner Pollard Land Company and applicant Meybohm Land Development request a major revision to the current PUD (Planned Unit Development) zoning for multiple parcels, 721 +/- acres located off Washington Road, William Few Parkway, Old Washington Road, and Clanton Road to revise the uses and acreages of multiple parcels in Riverwood West.

The properties in question are located around the intersection of Washington Road and William Few Parkway. Built out portions of Riverwood West are located primarily to the northeast of this intersection behind Riverwood Plantation and adjacent to the Lake Cumberland subdivision; additional built-out areas are to the west of this intersection, fronting onto William Few Parkway. Unbuilt sections are primarily to the northwest of the intersection and include frontage on Washington Road, Old Washington Road, Clanton Road, and William Few Parkway. The PUD zoning was approved in 2005 (RZ05-10-10).

	Approved Acreage	Proposed Acreage
P-R2	708	690
P-R3	159	229
TND	147	71
P-1	62	39
P-TR	115	33

The applicants are proposing to revise the development plan for several of the unbuilt sections of Riverwood West. The overall effect of the proposed revisions is to nearly halve the acreage proposed for Traditional Neighborhood and Professional development, increase the total acreage proposed for single family residential development, and relocate and reduce the acreage proposed for townhouse development. A summary table of the acreage changes is provided to the left.





# REZONING

March 3, 2016

FILE : RZ16-03-06

Major PUD Revision

The net result of these changes is a decrease in the density of the overall development, from a possible total of nearly 5600 residential units to a possible total of 3660. The breakdown of the previously approved and newly proposed units, based on the proposed acreages and maximum allowed densities, is provided in the table to the right.

	Maximum Number of Units Approved - 2012	Maximum Number of Units Proposed - 2016
P-R2	1770	831
P-R3	1111	1716
P-TR	1764	852
TND	952	264

The proposed changes to the site plan are appropriate for the area, which is largely residential in character. Future professional and commercial/traditional neighborhood areas are concentrated near Washington Road, as are denser residential areas, with the residential densities generally decreasing with distance from the main thoroughfares, which will aid in transitioning to the larger lot residential zonings adjacent to the development. The proposed relocation of the townhome sections from their former locations off Old Washington Road and General Wood Parkway to the professional area adjacent to Washington Road helps achieve this overall density transition, as does removing the previously proposed TND section from William Few Parkway.

Since the proposed revisions are in keeping with the intent of the development and the future development map, which identifies this area for primarily residential neighborhood development, with the Greenbrier Activity Center focused around Washington Road, staff is recommending approval of the proposed revisions to the PUD.

Staff recommends **approval with conditions** of the major revisions to the current PUD (Planned Unit Development) zoning for multiple parcels, 721 +/- acres located off Washington Road, William Few Parkway, Old Washington Road, and Clanton Road to revise the uses and acreages of multiple parcels in Riverwood West.

## Interdepartmental Review

**A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.**

## Conditions:

### Planning:

1. Concept plans for all tracts, including TND and P-1 tracts, must be submitted to the Planning Commission for approval prior to the development of each tract. The concept plan must cover the entire tract to be developed and must show the interconnectivity to adjacent tracts, including all vehicular, pedestrian, and cycling connections.



# REZONING

March 3, 2016

FILE : RZ16-03-06

Major PUD Revision

## **Traffic Engineering:**

1. The PAI policy shall apply to publically owned portions of General Woods Pkwy. The PAI policy shall also apply to new alignments constructed by Developer that the county categorizes as Collector Rd or higher classification.
2. Developer is required to provide traffic calming measures on any proposed land service street to be dedicated to the county with straight sections (delta angle less than 30 degree curves) longer than 500 ft. A mandatory meeting with Engineering Division and developer/engineer is required prior to any detailed design for the purpose of discussing acceptable traffic calming measures. Speed humps/bumps and will not be considered.
3. Design and construction of all roadways (new or existing) classified as Collector or higher must meet AASHTO, GDOT, PROWAG, and MUTCD standards and guidelines. All other public roads to be dedicated to the county shall meet Columbia County, PROWAG and MUTCD standards and guidelines.
4. This development lies within the MS4 boundary. For subdivisions and land service streets, refer to Stormwater comments and conditions for MS4/water quality requirements. For all roadway improvements with classifications of Collector Rd or higher (new alignment or widenings), the Developer shall provide Post Const BMPs where there's an increase of 5000 sf or more new impervious surface. A mandatory meeting with Engineering Division and developer/engineer is required prior to any detailed design for the purpose of discussing acceptable Post Construction BMPs. GDOT approved linear BMP list will apply as the basis for acceptable options for roadway-only facilities.
5. Improvements to Collector Roads (new alignment or widenings) shall require a minimum paving section of 10" GAB, 3" 19mm, and 2" 12.5mm. Poor or wet soil conditions may require a heavier section at the discretion of the County Engineer. Curb underdrains may be required in road cuts 3ft or more and other areas as determined by County Field Engineer. Curb underdrains shall be provided by Developer and at no cost to the County.
6. All materials used to construct a Collector Road category or higher shall be from an approved source or GDOT's QPL list. All pipes shall be GDOT approved with their stamp. GDOT approved job mix shall be submitted to Columbia County prior to paving.
7. Materials testing services in areas to be dedicated to the county shall be provided by the Developer. Columbia County reserves the right to require compaction testing at any time as directed by the County Field Engineer. All sub-grade and base shall be test rolled to meet the satisfaction of the County Field Engineer. The vehicle shall be a two axle dump truck loaded with a min. gross load of 56,000 lbs. The pattern for the test roll shall be up, back, and then the tests reroll. Failed areas shall be corrected and rerolled.

## **Comments:**

### **Board of Education:**

As the growth continues in what appears to be the Greenbrier Schools area, please keep in mind there are four schools that will house students from the surrounding developments. Three existing schools in the vicinity (Greenbrier Elementary, Greenbrier Middle, Greenbrier High) and a future school (Parkway Elementary), which is currently under construction and further up William Few Parkway, that will open the 2016-2017 school year.



# REZONING

March 3, 2016

FILE : RZ16-03-06

Major PUD Revision

When overcrowded conditions occur in any one of our schools there is a possibility that children will be housed in portable classrooms. The influx of new subdivisions being built around our schools, the problem with traffic congestion and road access during school morning and afternoon hours as students are being picked up or dropped off will continue to increase.

## **Building Standards:**

Residential development: Ensure all applicable codes provided by the International Residential code for one and two family dwellings, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

Professional and Commercial development: Ensure all applicable codes provided by the International Building Code, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

## **Environmental:**

Wetlands and Waters of the U.S. are present on the property. Columbia County strongly encourages that a Jurisdictional Determination be procured from the U.S. Army Corps of Engineers for this project. If any disturbances to the wetlands or waters of the U.S. are proposed, Columbia County will require an approved JD that must be accompanied by correspondence from the U.S. Army Corps of Engineers stating permit coverage has been obtained or permit coverage is not needed.

State Waters are present on the property. There is an established 25-foot buffer from the edge of wretsted vegetation along all state waters. Any disturbances to the 25-foot buffer must be approved by the Georgia Environmental Protection Division prior to such disturbance taking place.

Prior to development on this site, the applicant is required to establish Base Flood Elevations using detailed methods for the submittal of a Letter of Map Revision (LOMR) to FEMA for any remaining Zone A floodplain. The applicant must receive LOMR approval from FEMA prior to final plat approval.

## **Fire Marshal:**

To comply with applicable fire codes.

## **Health Department:**

This project should be on county water and sewer, therefore, the Health Department does not need to be contacted prior to advancement of the project and there are no specific comments or conditions.

## **Planning:**

No variances from Code have been applied for, nor have any variances been extended or implied by the County. Conditions supplement but do not eliminate other code requirements. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

## **Stormwater Management:**

1. The site improvements will disturb more than one acre, therefore, the proper NPDES permit and associated fees must be submitted to the Georgia Environmental Protection Division (EPD) and Columbia County 14 days prior to land disturbance.
2. Stormwater detention will be required unless site improvements result in no net increase in runoff.

3. Stormwater quality will be required.

#### **Traffic Engineering:**

1. The Applicant is required to comply with the "Project Access Improvements on County Roadways" policy (aka PAI policy) as adopted by Board of Commissioners on February 3, 2015. To obtain a copy of the PAI, please contact Traffic Engineering Dept at (706) 868-4223. This includes but is not limited to access improvements on Clanton Road, William Few Pkwy, and Old Washington Road.
2. Right-of-way for Washington Road (State Route 104) is under the jurisdiction of the Georgia Department of Transportation. Access improvements to this roadway requires a GDOT Encroachment Permit. Contact District 2 office, Tennille GA, at (478) 552-4621 for permitting information.
3. Any proposed subdivision must connect to at least one paved road meeting the requirements of the ordinance. Section 74-79(a)

## Criteria for Evaluation of Rezoning Proposal

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**  
The proposed revision is suitable for the development.
2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**  
The proposal will not adversely impact adjacent or nearby properties.
3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**  
The property does have a reasonable economic use as currently zoned.
4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**  
The proposal will not cause an excessive burden on existing facilities.
5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**  
The adopted future land use map shows this area as medium density residential; however, the map is currently under revision.
6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**  
Staff is not aware of any at this time.
7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**  
The proposal meets this test.



# REZONING

March 3, 2016

FILE : RZ16-03-06

Major PUD Revision

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# VARIANCE

March 3, 2016

FILE: VA16-03-01

Variance

Property Information	
Tax Map/Parcel ID	Tax Map 081 Parcel 015A
Address/Location	891 Point Comfort Road
Acreage (+/-)	0.72 +/- acres
Current Zoning	R-1 (Single Family Residential)
Existing Use	Vacant Residential
Request	Variance from Section 90-53 <i>List of Lot and Structure Requirements</i>
Commission District	District 1 (Duncan)
Recommendation	Approval

## Executive Summary:

Owner RJ Pavey and owner and applicant Tammi Pavey request a variance from Section 90-53 *List of Lot and Structure Requirements* for a 0.72+/- acre parcel (Tax Map 081 Parcel 015A) located at 891 Point Comfort Road to reduce the front setback along the access easement to 5 feet to build a single-family dwelling.

The property is located at the end of an access easement off Point Comfort Road and abuts the Savannah River. The subject property and surrounding parcels are zoned R-1 (Single Family Residential).

Since this property is accessed off of an easement, the required front setback would be 25 feet from the property line in accordance with the setback requirements for a service drive. The property is fairly narrow and a portion of it lies within the 100 year floodplain. Because of this, the applicant is requesting to reduce the front setback in order to construct the dwelling further away from the edge of the water and outside of the floodplain. As this property is located at the end of an easement, there will likely not be any visual or physical harm to the neighbors from reducing the front setback, and moving buildings out of floodplain areas is a sound practice and should be encouraged. Because of these reasons, staff is comfortable with the requested variance. Further comment is provided in the criteria for evaluation below.

Staff recommends **approval** of the request for a variance from Section 90-53 *List of Lot and Structure Requirements* for a 0.72+/- acre parcel (Tax Map 081 Parcel 015A) located at 891 Point Comfort Road to reduce the front setback along the access easement to 5 feet to build a single-family dwelling.





# VARIANCE

March 3, 2016

FILE: VA16-03-01

Variance

## Interdepartmental Review

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A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

## Comments:

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### **Building Standards:**

Ensure all applicable codes provided by the International Residential code for one and two family dwellings, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

### **Environmental:**

State Waters are present adjacent to the property. There is an established 25-foot buffer from the edge of wrosted vegetation along all state waters. Any disturbances to the 25-foot buffer must be approved by the Georgia Environmental Protection Division prior to such disturbance taking place.

According to FEMA FIRM 13073C0154D, this property contains AE Zone and floodway. A Conditional Letter of Map Amendment based on Fill (CLOMR-F) must be approved by FEMA if modifications to the site result in fill within the floodplain/floodway limits. An elevation certificate based on construction drawings will be required prior to issuance of a building permit for the proposed structure.

### **Fire Marshal:**

To comply with applicable fire codes.

### **Planning:**

No other variances from Code have been expressed or implied. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

## Criteria for Evaluation of Variance Proposal:

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1. **There are special circumstances or conditions unique to the property that do not generally apply to the district.**  
The property, since it abuts the river, does have a flood plain that takes up a portion of it. This flood plain decreases the amount of buildable land for the property. While this does apply to other lots along the river, the lot is also narrow.
2. **The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his**



# VARIANCE

March 3, 2016

FILE: VA16-03-01

Variance

**land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.**

Strict application would not deprive the applicant of any reasonable use of the land. However, it would make the property more difficult to build on.

3. **Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.**

Strict adherence to this chapter could cause the owner hardship since a flood plain exists on the south side of the property and it is also a narrow lot. Additionally, the proposed drainage field for the septic system is proposed on the larger section of the property, further decreasing the developable area of the parcel.

4. **If granted, the variance shall be in harmony with the general purposes and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.**

The location of the proposed dwelling at the end of an access easement and outside of a flood plain should not be injurious to the neighborhood or detrimental to the public welfare.

5. **In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance.**

The applicant has met this burden.

6. **When recommending a variance, the planning commission, or board of commissioners, when granting a variance, may establish reasonable conditions concerning the use of the property, and may establish an expiration date for such variances.**

So noted.

7. **Any variance recommended and/or authorized is to be set forth in writing in the minutes of the planning commission and the board of commissioners, as the case may be, with the reasons for which the departure was justified, and the conditions under which the variance was granted.**

So noted.



# VARIANCE

March 3, 2016

FILE: VA16-03-02

Variance

Property Information	
Tax Map/Parcel ID	Tax Map 067A Parcel 049
Address/Location	5081 Fairington Drive
Acreage (+/-)	2.81 +/- acres
Current Zoning	R-1 (Single Family Residential)
Existing Use	Residential
Request	Variance from Section 90-53 <i>List of Lot and Structure Requirements</i>
Commission District	District 3 (Richardson)
Recommendation	Approval with Condition

## Executive Summary:

Owner Carl Ford and applicant Ashley Ford request a variance from Section 90-53 *List of Lot and Structure Requirements* for a 2.81 +/- acre parcel (Tax Map 067A Parcel 049) located at 5081 Fairington Drive to reduce the side setback on the eastern property line to 5 feet for an existing shop.

The property is located on the south side of Fairington Drive off of Hereford Farm Road and is currently zoned R-1 (Single Family Residential). Surrounding properties are also zoned R-1.

A workshop was constructed on this property in 2014 (approximately 2,736 square feet under roof & approximately 1,232 square feet of enclosed space). The required side setback in the R-1 district is 10 feet. The front corner of the shop is 12 feet off the property line, however, the shop was not constructed parallel to the property line and therefore the rear corner is only five and a half feet off the property line. The error was discovered by the County during the investigation of a complaint by the neighboring property owner regarding a dirt bike trail from the shop that crossed onto his property.

A permit was issued by the County to the builder prior to construction of the workshop. Documentation provided by the builder during the application process indicates the shop was proposed to be constructed at approximately 32 feet from the property line at the front of the building and taper down to approximately 20 feet at the rear. The shop was also shown at approximately 130 feet from the front property line. The shop is indicated on the submitted building plan as essentially the same size as the as built provided by the applicant. However, the building was not built at those setbacks as indicated previously and was constructed at approximately 117 feet from the front property line.



# VARIANCE

March 3, 2016

FILE: VA16-03-02

Variance

The applicant is requesting a variance to permit the existing shop to remain as it was constructed by the contractor. They are citing the topography of the lot and security (the shop is built close to the house so it is visible at all times and so that when the applicants are using the shop they can have visibility to the house when their blind son is inside) as the reasoning for the shops location.

Staff does not think this workshop was constructed "maliciously" within the setbacks and appears to be a mistake by the builder. The reasoning behind this is that the building is very close to the indicated size on the submitted building plan and appears to have been shifted in the field without verifying the location. The submitted rationale by the applicant for the location (topography and security) is also suitable in staff's opinion. However, staff is concerned with the size of the workshop and its placement on the lot only serves to increase that impact on the street and neighboring properties. Because of this, staff recommends that screening be installed to soften the structure to adjacent properties.

Staff recommends **approval with conditions** of the request for a variance from Section 90-53 *List of Lot and Structure Requirements* for a 2.81 +/- acre parcel (Tax Map 067A Parcel 049) located at 5081 Fairington Drive to reduce the side setback on the eastern property line to 5 feet.

## Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

## Conditions:

### Planning:

A landscape plan prepared by a professional shall be submitted to Columbia County within 6 months of final action by the Board of Commissioners. Said landscape plan shall provide screening by evergreen trees along the northern and eastern sides of the workshop as well as a mixture of differing trees & shrubs.

## Comments:

### Building Standards:

Ensure all applicable codes provided by the International Residential code for one and two family dwellings, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

### Fire Marshal:

To comply with applicable fire codes.

### Planning:

No other variances from Code have been expressed or implied. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

*A Community of Pride...A County of Vision...Endless Opportunity*



# VARIANCE

March 3, 2016

FILE: VA16-03-02

Variance

## Criteria for Evaluation of Variance Proposal:

1. **There are special circumstances or conditions unique to the property that do not generally apply to the district.**  
The topography is similar to adjacent properties. Staff is unsure if damp ground is a common occurrence with other properties in the area, but due to the topography it is likely that other areas also have the same problem. However, the need for the applicant to have visibility to the house from the shop is likely to be unique to this property.
2. **The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.**  
Strict application would not deprive the applicant of reasonable use of the land.
3. **Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.**  
Strict adherence to the requirements of this chapter would not cause the owner unnecessary hardship. However, it would require the existing shop to be rebuilt within setbacks.
4. **If granted, the variance shall be in harmony with the general purposes and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.**  
The variance with proposed conditions will be in harmony with the purpose and intent of this chapter. Additionally, the addition of landscaping around the workshop will lessen the impact of the building on the neighborhood.
5. **In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance.**  
The applicant has sufficiently met this burden.
6. **When recommending a variance, the planning commission, or board of commissioners, when granting a variance, may establish reasonable conditions concerning the use of the property, and may establish an expiration date for such variances.**  
So noted.
7. **Any variance recommended and/or authorized is to be set forth in writing in the minutes of the planning commission and the board of commissioners, as the case may be, with the reasons for which the departure was justified, and the conditions under which the variance was granted.**  
So noted.